



U.S. Department of Justice

Criminal Division

Public Integrity Section

Washington, D.C. 20530

March 6, 2019

West Virginia Department of Commerce  
1900 Kanawha Boulevard East  
Charleston, WV 25305

Re: Grand Jury Subpoena – April 2, 2019

Dear Custodian of Records:

Enclosed herewith please find a Federal Grand Jury Subpoena directed to the Authorized Records Custodian of West Virginia Department of Commerce. Also enclosed is a Waiver and Certification which, if properly executed and returned with the records subpoenaed by the Grand Jury, will release you from your Grand Jury appearance on April 2, 2019. Please return a copy of the subpoena with the records.

Please execute the acknowledgment section of this letter reflecting that you have received and accepted service of this subpoena and return it to me.

The Waiver and Certification is to be returned with the records and documents by certified mail addressed to:

Simon Cataldo  
1400 New York Ave  
12<sup>th</sup> Floor  
Washington, D.C. 20530

Thank you for your cooperation in this matter. If you have any questions, please contact me at (202) 616-2464.

Sincerely,  
ANNALOU TIROL  
Acting Chief  
Public Integrity Section

/s/ Simon Cataldo  
Simon Cataldo  
Trial Attorney

Enclosures

I acknowledge receipt and accept service of the above-referenced subpoena.

Name \_\_\_\_\_

Date \_\_\_\_\_

# UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

## SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: West Virginia Department of Commerce, Attn: Authorized Records Custodian  
1900 Kanawha Boulevard East, Charleston, WV 25305

**YOU ARE COMMANDED** to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: United States District Court  
300 Virginia Street, East  
Room 2400  
Charleston, WV 25301

Date and Time:

04/02/2019 9:30 am

You must also bring with you the following documents, electronically stored information, or objects *(blank if not applicable)*:  
See attached.

Date: March 6, 2019

CLERK OF COURT

*[Handwritten Signature]*



Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

Simon Cataldo  
1400 New York Ave  
12th Floor  
Washington, D.C. 20530  
202-616-2464

**ATTACHMENT TO GRAND JURY SUBPOENA**

**RETURNABLE: APRIL 2, 2019**

**TO:** West Virginia Department of Commerce  
1900 Kanawha Boulevard East  
Charleston, WV 25305

**ATTN: AUTHORIZED RECORDS CUSTODIAN**

**PRELIMINARY MATTERS**

- A. **Records:** The term "records" encompasses all recorded information in whatever form it exists, including, without limitation, paper documents, electronically stored information, photographs, and audio or video recordings. The term "records" specifically includes, without limitation, e-mail messages, text messages (also known as SMS or MMS messages), messages sent or received by electronic instant messaging programs, and all other similar electronic messages. The term "records" also specifically includes, without limitation, all information stored on any computer, cellular telephone, tablet computer, or other electronic device capable of storing information.
- B. Records are requested in digital format, preferably PDF images. If digital format is unavailable, please provide hard copies of the requested records.
- C. All checks, money orders, or other negotiable instruments should be copied front and back in order to obtain endorser and clearing information.
- D. If provided, please return responsive records with a completed waiver of grand jury appearance.
- E. If a document demanded by this subpoena is withheld under a claim of privilege, or is otherwise withheld, provide the following information regarding the record: (1) its date; (2) the name and title of its author(s); (3) the name and title of each person to whom it was addressed, distributed, and disclosed; (4) the number of pages; (5) an identification of any attachments or appendices; (6) a general description of its subject matter; (7) its present location and the name of its present custodian; (8) the paragraph of this subpoena

to which it is responsive; and (9) the nature of the claimed privilege or other reason the document is withheld.

### SUBJECT and SCOPE OF RECORD REQUEST

Please provide records for the period beginning on January 1, 2014, and continuing through March 6, 2019, for the records specified below, as they relate to the West Virginia Department of Commerce and/or the West Virginia Development Office.

### SPECIFIC ITEMS REQUESTED

1. All records relating to sponsorship contracts with The Greenbrier, The Greenbrier Classic, A Military Tribute at the Greenbrier, or Old White Charities, Inc.
2. All records pertaining to Amenity Agreements with The Greenbrier, The Greenbrier Classic, A Military Tribute at the Greenbrier, or Old White Charities, Inc.
3. All records of any communication with any person acting on behalf of The Greenbrier, The Greenbrier Classic, A Military Tribute at the Greenbrier, or Old White Charities, Inc., including, but not limited to:
  - James C Justice II
  - James C Justice III (Jay Justice)
  - Jilleen Justice
  - Habibi Mamone
  - Tim McNeely
  - Lawrence "Larry" Klein
  - James Terry Miller
  - Adam Long
  - Summer Harrison
  - Elaine Butler
  - Elmer Coppoolse
4. All records of any contract exemption requests filed with the West Virginia Ethics Commission regarding continued sponsorship of The Greenbrier Classic, or A Military Tribute at the Greenbrier.
5. All records related to the appropriation of funds by the Department of Commerce and/or the West Virginia Development



Office for The Greenbrier Classic, A Military Tribute at the Greenbrier, or Old White Charities, Inc.

6. All records related to the distribution of funds by the Department of Commerce and/or the West Virginia Development Office to or for The Greenbrier Classic, A Military Tribute at the Greenbrier, or Old White Charities, Inc.

**PROOF OF SERVICE**

This subpoena for *(name of individual or organization)* West Virginia Department of Commerce  
was received by me on *(date)* \_\_\_\_\_

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

\_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA

IN RE: GRAND JURY PROCEEDINGS

WAIVER AND CERTIFICATION

I hereby state that I am the \_\_\_\_\_ of  
West Virginia Department of Commerce and as such I am the custodian of the records described  
in a subpoena duces tecum returnable to a Federal Grand Jury for the Southern District of West  
Virginia at Charleston, West Virginia, on April 2, 2019. I understand that I have an absolute right  
to appear personally, at the expense of the United States, before the Grand Jury in response to that  
subpoena, to testify under oath, and to produce the records called for by that subpoena.  
Nonetheless, I choose to waive that right.

Attached are the records called for by that subpoena and a list describing the type and  
quantity of records being produced. I have searched and caused to be searched the appropriate  
records, and to the best of my knowledge and belief the records hereby produced fully comply  
with the requirements of that subpoena. The records hereby produced were (1) made at or near  
the time of the occurrence of the matters set forth by, or from information transmitted by, a person  
with knowledge; (2) kept in the course of a regularly conducted activity; and (3) made as a regular  
practice of that activity.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

These documents were presented to the Grand Jury on \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Grand Jury Foreman)

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA**

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**ADVICE TO GRAND JURY WITNESSES**

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This advice is given to all Grand Jury witnesses as a general practice without regard to culpability.

1. A Grand Jury consists of sixteen to twenty-three citizens who inquire into possible violations of federal law that may have occurred in this judicial district. Only the members of the Grand Jury, attorneys for the government, the witness under examination and a court reporter (and possibly a translator, if necessary) may be present in the Grand Jury Room while evidence is being presented.
2. You will be expected to answer all questions asked of you, except that you do not have to answer any question to which a truthful answer would tend to incriminate you, or if some other recognized legal privilege would apply.
3. An untruthful answer to any question may subject you to a prosecution for perjury. Anything that you say in the Grand Jury may be used against you by the Grand Jury or in Court.
4. You may consult an attorney about your Grand Jury appearance before testifying. Your attorney may wait immediately outside the Grand Jury Room while you are testifying. Upon your request, you will be afforded a reasonable opportunity to step outside the Grand Jury Room to consult with your attorney before answering any question.
5. The mere fact that a person who has been subpoenaed to testify before a Grand Jury has been advised of his or her rights should not necessarily be taken to mean that the person is likely to be charged (indicted) with a crime.

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**GENERAL INFORMATION REGARDING YOUR APPEARANCE BEFORE THE GRAND JURY**

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1. Upon receipt of your subpoena, please contact the Assistant United States Attorney (AUSA) indicated on the subpoena to obtain the precise time that you are scheduled to testify. If you fail to do so, you will be required to appear at the time indicated on your subpoena and wait until you are called. Also, please provide the AUSA with your work and home phone numbers so that you may be contacted in the event of changes in the date or time of your appearance.
2. You are not required to discuss your anticipated testimony with the AUSA before your appearance but may do so if you wish.
3. Please read the attached form regarding witness fees and expenses. The United States Attorney's Office will assist you in making travel arrangements, including method of travel and hotel accommodations if necessary. If you are excused from the Grand Jury with sufficient time left in the day to return to your place of residence that day, you are expected to do so and overnight accommodations will not be authorized in that case.
4. YOU MUST BRING PHOTO IDENTIFICATION AND YOUR SUBPOENA WITH YOU TO THE COURTHOUSE. NO CELL PHONES ARE PERMITTED IN THE GRAND JURY ROOM!!

If you have any questions concerning your appearance, or other questions, you should consult your attorney, or you may contact the United States Attorney's Office at 304-345-2200.



# INSTRUCTIONS FOR FACT WITNESSES APPEARING ON BEHALF OF THE UNITED STATES GOVERNMENT (Not Applicable to Federal Employees)

READ THE INFORMATION CONTAINED ON THIS FORM BEFORE YOUR COURT APPEARANCE. PLEASE CALL THE INDIVIDUAL(S) LISTED BELOW FOR INFORMATION REGARDING TRAVEL ARRANGEMENTS AND SPECIFIC ENTITLEMENTS. IF YOU HAVE A MEDICAL CONDITION OR FAMILY SITUATION THAT REQUIRES SPECIAL CONSIDERATION, PLEASE ADVISE THE INDIVIDUAL LISTED BELOW AS SOON AS POSSIBLE.

CONTACT PERSON(S): Erin Quintrell

TELEPHONE NUMBERS: (304) 345-2200  
1-800-659-8726

## VERIFY YOUR ATTENDANCE

On the last business day (Monday-Friday) BEFORE you travel to court, call the above number to verify that your attendance is required. This may prevent a wasted trip in the event the trial date is changed.

## APPEARANCE IN ANOTHER CITY

If you are required to travel to another city to appear in court, immediately contact the individual listed above and request instructions. Any amount advanced to you will be deducted from your fees and allowances.

## REIMBURSEMENT OF EXPENSES AND ATTENDANCE FEES

- A. **ATTENDANCE FEE:** You will be paid a fee of \$40 per day, including travel days.
- B. **TRANSPORTATION:** Call the individual listed above to obtain information on transportation. Reimbursement will be made for travel by the least expensive method reasonably available to you. The following rules apply to transportation expenses:

1. **Local Travel:** The recommended method of travel in the local area of court is transit bus/subway.
2. **Privately Owned Vehicles** You will be reimbursed the following amounts:

(POV): Motorcycle: \$ .55 per mile

Automobile \$ .58 per mile

Airplane \$1.21 per mile

In addition to the above mileage allowance, necessary tolls, parking and other fees may be reimbursed. You must keep a record of your odometer readings if you travel by motorcycle or automobile. If two or more witnesses travel in the same vehicle, only one reimbursement for mileage can be made.

## IF POV EXPENSES, INCLUDING MILEAGE, TOLLS, PARKING AND OTHER ASSOCIATED COSTS, ARE GREATER THAN THE GOVERNMENT AIRFARE, YOU WILL BE RESPONSIBLE FOR THE DIFFERENCE.

3. **Common Carrier:** If you are located outside the local court area, CALL THE INDIVIDUAL LISTED ABOVE FOR INSTRUCTIONS. Train, bus or airfare will be reimbursed at the Government rate. Reimbursement WILL NOT be made for First Class accommodations, "Frequent Flyer" tickets, or charter service. **DO NOT** purchase non-refundable tickets. If your appearance date changes or is canceled, you WILL NOT be reimbursed for non-refundable tickets. If you have any questions concerning transportation arrangements, please contact the individual(s) listed above.

- C. **MEALS:** If it is necessary for you to remain away from home overnight, you will receive the following daily meal allowances:
- \$ \_\_\_\_ For each travel day PLUS \$ \_\_\_\_ For each for day at court

- D. **LODGING:** If it is necessary for you to remain away from home overnight, you will be reimbursed for the ACTUAL COST of your hotel/motel room which may not exceed \$ \_\_\_\_ per night, including tax.

\*See below for allowances.

## YOU MUST RETAIN RECEIPTS

ALL CLAIMS FOR PARKING MUST BE SUPPORTED BY A RECEIPT. OTHER EXPENSES EQUAL TO \$75 OR MORE MUST BE SUPPORTED BY A RECEIPT, WITH THE EXCEPTION OF MEALS AND MILEAGE.

## DISMISSAL

When you are advised that your attendance is no longer required, you should request information regarding the payment of the fees and allowances outlined above. The individual requiring your attendance will provide you with a Fact Witness Voucher. You will be required to list your expenses on this Voucher. The Voucher will be submitted to the U.S. Marshals Service for payment. The U.S. Marshal Service will process the voucher and MAIL the payment to you. If you require funds to return home, you **MUST** notify the Contact Person indicated above **IN ADVANCE OF YOUR TRAVEL**.

Beckley:	\$55.00 Meal Allowance and \$ 94.00 Lodging Allowance Each Day- \$149.00 Total
Blutfield:	\$55.00 Meal Allowance and \$ 94.00 Lodging Allowance Each Day- \$149.00 Total
Charleston:	\$56.00 Meal Allowance and \$107.00 Lodging Allowance Each Day- \$163.00 Total
Parkersburg:	\$55.00 Meal Allowance and \$ 94.00 Lodging Allowance Each Day- \$149.00 Total
Huntington:	\$55.00 Meal Allowance and \$ 94.00 Lodging Allowance Each Day- \$149.00 Total

Form DOJ-2

Revised 10/2018

WHITE SULPHUR SPRINGS— In connection with The Greenbrier Classic, some numbers are easy. A field of 152 golfers on a par-70 course, whittled to four in an exciting playoff won by 25-year-old Danny Lee, who took home \$6.7 million.

Numbers about the economic effect of the most recent week-long golf tournament, that includes two pro-ams, are not yet determined. But from economic development experts to tourism officials, the consensus is that effect of the Classic is "priceless."

In 2011, a economic impact study of the first tournament showed an overall economic impact of more than \$111 million.

The Greenbrier's inaugural PGA tournament brought in spectators from 34 states for a total of 178,500 unique gate entries over the week, according to the study by GSP Consulting Corp. of Pittsburgh.

The study, "The Greenbrier Classic: Impacts and Opportunities," said the week generated \$2.5 million in tax revenue for West Virginia, with attendees spending \$21 million on lodging, shopping, food, tickets, transportation and other entertainment.

Jeff Kmeic, The Greenbrier resort's president and managing director, said this year's tournament drew crowds of more than 20,000 a day over the Fourth of July holiday weekend, and more than 13,000 for the mid-week pro-am tournament. Concerts by The Band Perry and Keith Urban on July 1 and Miranda Lambert and Blake Shelton on July 3 drew 24,000 and an "off the charts" 50,000 people, respectively, Kmeic said.

"It has gotten bigger," he said. "We measure it internally on how occupied our rooms are, how much people spend on the grounds."

The Greenbrier itself had 1,400 guests per day, Kmeic said. That's all good, but the overall economic result of the Greenbrier Classic doesn't just seep out of the famed resort's boundaries, it explodes.

Kmeic calls it the public relations "afterglow," the "halo effect" of days-long views of the resort and the surrounding West Virginia hills on national and international broadcasts.

"You can't put a dollar figure on it — the goodwill in painting the state in a different light, teaching people a little bit more about West Virginia than they already knew," Kmeic said. "I'd say that's priceless."

Kmeic said the Classic is a family-friendly event, cast over the Fourth of July weekend.

"It gives families the chance to enjoy America's birthday at America's resort," he said. "This year more than any other, we showed that by the number of families and children that we had in attendance."

Pairing the Greenbrier Classic with the holiday had an initial negative effect on guest numbers, Kmeic said, but after that, attendance has picked up steadily.

"The good news about this event is that it happens every year so people can already put it on their calendar and plan their vacations," he said.

"It's a win for everybody," he said.

Tee time

Jim Justice bought The Greenbrier resort for \$20 million in 2009, and shortly thereafter pitched the idea of having a world-class golf tournament there.

After an initial struggle with not only the PGA, but state officials reluctant to invest in a private venture, Justice has settled in to a routine of big — some say over-the-top — events at The Greenbrier.

Next month the New England Patriots will practice with the New Orleans Saints, who have a home-away-from-home training camp at The Greenbrier. Pete Sampras and John McEnroe will play at The Greenbrier's newly-constructed Tennis Club this fall.

Add to that plans to build another golf course designed by legends Jack Nicklaus, Lee Trevino, the resort's new golf pro emeritus, Gary Player and Arnold Palmer. Justice hopes to draw a U.S. Open to Greenbrier County with that course in his backyard.

Justice gets big names, perhaps because he doesn't think small. And he sees the results in Classic visitors who come to see golf's biggest players.

"Tiger Woods moves the needle," Justice told The Register-Herald. "A lot of people want to see him play; he's a superstar to say the very least."

But it's not just Tiger Woods. Other golf greats like Bubba Watson, John Daly, Angel Cabrera, Vijay Singh and Louis Oosthuizen made the rounds at The Classic this year.

"We had a great field of people, wonderful lineup on the concerts," Justice said. "Without question, the best we've had, and it's hard to top. It's been great every year."

For Justice, the event spotlights the West Virginia he loves, a theme in his every speaking engagement and media contact. He isn't shy about promoting a state often on the fringes of economic growth. The Greenbrier Classic is meant to help change that, Justice said.

"It's the biggest economic-impact public relations event that our state has on an annual basis," he said. "It brings the attention of the world on West Virginia."

Then, he said, perception becomes a new reality for people who visit West Virginia, and it means people who live here can be a little prouder of their home.

"West Virginia may have an uphill battle, but that doesn't mean we can't succeed; we've proved it can be done," he said.

Justice convinced PGA officials to bring a tournament to the state with a \$9.2 million guarantee of title sponsorship, he said.

"That surely got their attention," he said. "The good Lord has given me a pretty creative mind."

Classic is 'hole-in-one' for state development

West Virginia Secretary of Commerce Keith Burdette told The Register-Herald this week that the tax revenue from the Classic is a fraction of the benefit it brings to the entire state.

Because of the state's sponsorship (\$1.875 million last year), Burdette's office gets a box on the 18th hole. Burdette said state employees are spending a week at a resort, but it's not a vacation by any means.

"We use it to build relationships," Burdette said. "It gives us the opportunity to talk to a prospect so they get to know us and we get to know them. Any other way would take us two years. We get a lot accomplished in a very short time."

He said the state had hosted about 600 people on the 18th green. Deals aren't signed there, but the business relationships built in that relaxed resort setting have "put us in the game," Burdette said.

For his office, the Proctor & Gamble deal was the most recent successful result from rubbing elbows at The Greenbrier Classic. P&G officials themselves were not courted at The Classic, but site



consultants for the company had been at The Greenbrier Classic talking with people from the Development Office, Burdette explained. Hence, the follow through.

"When they got the project, they knew who to call," Burdette said. "That's what we're trying to do; we're trying to have more 'at bats' and building those kinds of relationships."

P&G is set to build a \$500 million, 4-million-square-foot facility in Berkeley County. The Mountain State out-maneuvered 40 other locations to land the project. Groundbreaking is scheduled for this fall.

"It's a natural fit," Burdette said of The Classic. "It's been a hole-in-one for us. I'm a big proponent."

Burdette said The Classic's benefit on the flip side is the boost in tourism numbers.

"People sit with us and talk about future vacations; we promote West Virginia as a go-to place for all types of activities," he continued.

But people don't have to sit with state officials on-site to get a view of West Virginia — it's on their televisions screens for days on the Golf Channel and on CBS. That allows people who may have an uninformed opinion of the Mountain State — or no opinion at all — to get past those stereotypes that have been a real handicap for West Virginia and see a side of the state seldom portrayed in national media.

Advertising time on CBS can cost up to \$300,000 for 30 seconds, Burdette said, but sportscaster Jim Nantz is effusive in his praise of The Greenbrier and the state in general.

"He is a walking commercial for us," Burdette said. "He talks incessantly about West Virginia during The Greenbrier Classic. How much better does it get?"

"It would be dumb not to take advantage of this; it's an investment. The returns — all we need is one good hit and it's paid for all our activities."

Burdette said there is a dollar-for-dollar impact, and his agency's numbers "are much more abstract." Still, he said, those abstract numbers are just as important. "We think the impact is serious and broad," he said.

For Greenbrier County, tournament is a driver

Greenbrier County Convention and Visitors Bureau executive director Kara Dense gets the business end of the Classic, but it's tourism dollars that will carry her agency.

Greenbrier County, with a 3 percent hotel/motel tax, has seen a bump in collections for July occupancy taxes every year since the Classic began. Those numbers also include lodging establishments like the Fairfield Marriott, Holiday Inn Express, Hampton Inn and Quality Inn, where the occupancy tax is doubled inside Lewisburg's city limits.

"July is the best month for both the city and the county hotel/motel taxes," Dense said.

The Greenbrier CVB helps visitors get rooms prior to the Classic, and will help with that during the event, as well, checking with hotels for last-minute cancellations and any empty rooms, she said. She echoed Burdette's observations that the Classic puts a world class spotlight on a West Virginia rarely noticed by outsiders.

"The entire tournament puts us on a national stage like nothing else in the state does," she said. "I think first and foremost it's great for public relations; it's really a selling opportunity for not only Greenbrier County, but for the rest of the state, as well."

But to put a dollar figure on that publicity? Dense can't do it.



"That's the type of public relations none of us could afford to buy," she said. "It's bringing people to the area that may not have visited before, exposing them to Greenbrier County, great restaurants, shops and activities.

"We hope this puts us on their radar for them to come back and make a visit another time," she said.

#### Raleigh County in range for Classic revenue

Kmeic said the Resort at Glade Springs housed volunteers and fans. But the Raleigh County resort wasn't the only area lodging establishment to benefit from The Classic's influx of visitors.

"Without question, (the Classic) has a huge impact on our area," said Doug Maddy, chief executive officer of Southern West Virginia Convention & Visitors Bureau. "We definitely benefited from it."

Maddy said Raleigh County, too, sees a jump in hotel/motel tax revenues each July since the Classic began.

"The impact is definitely reflected in hotel/motel tax, but we won't see those numbers for another month, but every year in conjunction with The Greenbrier Classic, those numbers go up," Maddy said. Maddy, too, agreed that the overall effect of the publicity is "priceless."

"When people from all over the world see our part of the world, that's advertising that you can't possibly buy," he said. "It's huge."

Maddy said the showcase is not only on television, but in word of mouth and social media blasts.

Fuel for people and their vehicles also put local businesses on the economic fairway, Maddy said.

"People who come to an event, their biggest single expenditure is the fuel," he continued.

And, he said, restaurants had to see a spike in diners. "I'm positive restaurants saw a bump," he said. "I'd say you'd be hard pressed to get a reservation up there."

#### The 19th Hole

It was a busy weekend at Food and Friends in Lewisburg's downtown. Owner Bob Murphy said he's seen the positive effect of the Classic since it began.

"We consistently do well and consistently do well dollar-wise," he said. "We're very positive about it. We look forward to it every year."

Murphy said he doesn't change Food and Friends' extensive menu, neither paring it to only certain items nor raising prices, keeping the restaurant "the same year-round."

"We sell higher-end dinners, wine and cocktails (during the Classic)," he said.

Murphy said the only glitch in the past has been traffic snarls as concert-goers made their way to Fairlea. That, he said, didn't happen this year.

"It's a big plus," Murphy said of The Classic. "It generates business."

Pam Pritt is a reporter for The (Beckley) Register-Herald, a sister newspaper of the Times West Virginian.

We have recently upgraded our commenting system. If you wish to comment please login using your social ID or create a new account

## **Contract Exemption 2018-02**

Issued on February 1, 2018, by

The West Virginia Ethics Commission

*Log*

### **Opinion Sought**

The West Virginia Tourism Office requests a Contract Exemption to sell advertising space and membership in West Virginia's Cooperative Advertising Program to The Greenbrier.

### **Facts Relied Upon by the Commission**

The West Virginia Tourism Office ("Tourism Office" or "Office") is statutorily charged with "develop[ing] and implement[ing] a comprehensive tourism advertising, promotion and development strategy for West Virginia." W. Va. Code § 5B-2I-4. The executive director of the Office is specifically directed to administer a "cooperative advertising program ["CAP"] to facilitate and allow participation in the West Virginia Tourism Office's advertising and marketing campaigns and activities ...." W. Va. Code § 5B-2I-4(a)(4).

The Tourism Office states that its mission is to promote a "world-class tourism destination that provides jobs, stimulates investment, grows existing businesses, and promotes a positive image of West Virginia as a place to visit, go to college, live, work, and retire."

The Office's cooperative advertising program allows private businesses and other participants to buy into the state's centralized advertising campaign.<sup>1</sup> The program creates a unified advertising campaign. The state has committed \$1.8 million to this program. *Id.* The program provides a "dollar-for-dollar" match to its participants, and it offers a variety of investment tiers that range in cost from \$250 to \$50,000. *Id.* Each tier package provides greater marketing exposure for participants. For example, the \$50,000 package includes featuring a participant on the Tourism Office's website homepage and a 15-30 second video clip on the program's social media. *Id.* The Greenbrier is expected to purchase the highest tier and therefore contribute \$50,000 to West Virginia's overall advertising campaign.

### **Provisions Relied Upon by the Commission**

W. Va. Code § 6B-2-5(d)(1) states, in relevant part:

[N]o elected or appointed public official or public employee or member of his or her immediate family or business with which he or she is associated may be a party to or have an interest in the profits or benefits of a contract

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<sup>1</sup> <https://gotowv.com/wp-content/uploads/2017/10/govcon-handout-41.pdf>

which the official or employee may have direct authority to enter into, or over which he or she may have control ....

W. Va. Code § 6B-2-5(d)(4) states, in relevant part:

Where the provisions of subdivisions (1) and (2) of this subsection would result in the loss of a quorum in a public body or agency, in excessive cost, undue hardship, or other substantial interference with the operation of a state, county, municipality, county school board or other governmental agency, the affected governmental body or agency may make written application to the Ethics Commission for an exemption from subdivisions (1) and (2) of this subsection.

W. Va. Code R. § 158-8-4 states, in relevant part:


Public officials or public employees or members of their immediate family are considered to be "associated" with a business if they or their immediate family member are a director, officer or holder of stock which constitutes five percent or more of the total outstanding stocks of any class.

### **Advisory Opinion**

The Ethics Act prohibits a public official or member of the official's immediate family or business with which the official is associated from being a party to or having an interest in the profits or benefits of a public contract over which the official has direct authority or control unless the governing body seeks, and receives, an exemption to contract with the public official. W. Va. Code § 6B-2-5(d).

The Greenbrier would buy into the advertising program and therefore be a party to a contract with the Tourism Office. The Greenbrier constitutes a business with which the Governor of West Virginia is associated for purposes of W. Va. Code § 6B-2-5(d) due to the Governor owning more than five percent of The Greenbrier's total outstanding stock. W. Va. Code R. § 158-8-4. The Governor has a financial interest in The Greenbrier's contracts. A financial interest in a public contract alone, however, is not enough to trigger the prohibition in W. Va. Code § 6B-2-5(d)(1).

A public official must also have either direct authority or control over the public contract in which the official has a financial interest. In this case, the Governor is the chief executive officer of the State of West Virginia and directly appoints the executive director of the Tourism Office, who serves at the will and pleasure of the Governor. W. Va. Const. Art. 7 § 5; W. Va. Code § 5B-21-3(b). The salary of the executive director is set by the Governor. *Id.* Furthermore, the Cabinet Secretary of the Department of Commerce, the Department under which the Tourism Office is organized, is appointed by and serves at the will and pleasure of the Governor. W. Va. Code § 5B-1-1(a). ~~The Commission accordingly finds that the Governor has sufficient control over the public contracts of the Office with The Greenbrier for purposes of W. Va. Code § 6B-2-5(d)(1).~~

  
Therefore, W. Va. Code § 6B-2-5(d)(1) prohibits the Tourism Office from selling advertising in the state's cooperative advertising program to The Greenbrier unless it receives a Contract Exemption.

#### **Excessive Cost, Undue Hardship or Other Substantial Interference**

The Commission may grant an affected governmental body an exemption from the prohibition in W. Va. Code § 6B-2-5(d)(1) when it would result in excessive cost, undue hardship or other substantial interference with the operation of the governmental body. W. Va. Code § 6B-2-5(d)(4).

The Tourism Office states, "The Greenbrier is critical to the CAP's success because it is one of West Virginia's strongest and best-funded tourism assets." The Tourism Office additionally states that The Greenbrier is one of the state's premier destinations "with the highest likelihood to attract a higher-spending demographic." The Office cites several recent studies that indicate that a higher spending demographic is key to the state's advertising campaign.

The Office states that it needs the matching dollars from The Greenbrier to make larger advertising buys and better compete with neighboring states for tourism. Further the Tourism Office states that it needs to include The Greenbrier in its advertising to avoid excessive cost to the Office, which already has an "overburdened budget."

~~The Commission defers to the Tourism Office's determination that including The Greenbrier in its advertising cooperative is key to promoting West Virginia and achieving its mission. See Advisory Opinion 95-28 ("The determination of whether [an] activity will actually benefit the state by promoting tourism and economic development is an issue for the [agency] to resolve.").~~

**The Ethics Commission finds that denial of the Contract Exemption would result in undue hardship and excessive cost to the West Virginia Tourism Office, and hereby grants the Tourism Office a Contract Exemption to allow it to include The Greenbrier in West Virginia's Cooperative Advertising Program.**

*The Ethics Commission notes that exemptions must be granted on a case-by-case basis. Therefore, this Contract Exemption is limited to the facts and circumstances of this particular case, and may not be relied upon as precedent by other persons or entities.*

  
Robert J. Wolfe, Chairperson  
West Virginia Ethics Commission



STATE OF WEST VIRGINIA  
**WEST VIRGINIA ETHICS COMMISSION**  
210 BROOKS STREET, SUITE 300  
CHARLESTON WV 25301-1804  
(304) 558-0664 - FAX (304) 558-2169  
[ethics@wv.gov](mailto:ethics@wv.gov) [www.ethics.wv.gov](http://www.ethics.wv.gov)

June 13, 2017

Joshua L. Jarrell  
Deputy Secretary/General Counsel  
West Virginia Development Office  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0311

RE: Request for Contract Exemption

Dear Mr. Jarrell:

This is to advise you that the West Virginia Ethics Commission staff has received your request for a Contract Exemption from the West Virginia Ethics Commission. Your request has been assigned reference number **Contract Exemption 2017-03**.

Your request will be considered by the members of the Commission, and the Ethics Commission staff expects a decision will be reached during the June 19, 2017, Commission meeting. As soon as a decision has been made and the opinion is signed by the Commission Chairperson, a copy will be sent to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Stepto", written over a horizontal line.

Rebecca L. Stepto  
Executive Director

RLS/meb

## **Contract Exemption 2017-04**

**Issued on August 18, 2017, by**

**The West Virginia Ethics Commission**

*Business  
Summit*

### **Opinion Sought**

The **West Virginia Development Office** requests a contract exemption to attend the annual **Business Summit** hosted by the **West Virginia Chamber of Commerce** at **The Greenbrier Resort**. In addition, the **West Virginia Development Office** and the **West Virginia Tourism Office** request a **Contract Exemption** for future functions and/or events occurring at **The Greenbrier Resort** that represent business recruitment opportunities for **West Virginia**.

### **Facts Relied Upon by the Commission**

The **West Virginia Development Office** ("WVDO") is organized under the **West Virginia Department of Commerce** and is statutorily charged with fostering economic development on behalf of the **State of West Virginia**. **W. Va. Code § 5B-1-2(3)**; **W. Va. Code §§ 5B-2-1 through 5B-2-6**. The executive director of the WVDO is mandated to "enhance economic growth and development through the development of a comprehensive economic development strategy for **West Virginia**." **W. Va. Code § 5B-2-2**. "Comprehensive economic development strategy" is defined as:

[A] plan that outlines strategies and activities designed to continue, diversify or expand the economic base of the state as a whole; create jobs; develop a highly skilled workforce; facilitate business access to capital, including venture capital; advertise and market the resources offered by the state with respect to the needs of business and industry; facilitate cooperation among local, regional and private economic development enterprises; improve infrastructure on a state, regional and community level; improve the business climate generally; and leverage funding from sources other than the state, including federal and private sources.

*Id.*

The **West Virginia Tourism Office** ("WVTO") is also organized under the **West Virginia Department of Commerce** and is statutorily charged with "develop[ing] and implement[ing] a comprehensive tourism advertising, promotion and development strategy for **West Virginia**." **W. Va. Code § 5B-21-4(a)**. A "[c]omprehensive tourism advertising, promotion and development strategy" means:

[A] plan that outlines strategies and activities designed to continue, diversify and expand the tourism base of the state as a whole; create tourism jobs; develop a highly skilled tourism workforce; facilitate business access to capital for tourism; advertise and market the resources offered by the state



with respect to tourism advertising, promotion and development; facilitate cooperation among local, regional and private tourism enterprises; improve infrastructure on a state, regional and community level in order to facilitate tourism development; improve the tourism business climate generally; and leverage funding from sources other than the state, including local, federal and private sources.

*Id.*

The WVDO states that it has routinely attended functions at The Greenbrier Resort ("Greenbrier") as part of its normal business operations. In this request, the WVDO seeks to attend the annual Business Summit of the West Virginia Chamber of Commerce ("Summit") to be held at The Greenbrier later this month. The website of the West Virginia Chamber of Commerce describes the Summit as "the largest gathering of business, industry, financial, and political leaders from around our state."<sup>1</sup> A registration fee, paid to the West Virginia Chamber of Commerce, is required to attend the Summit. A portion of the registration fee is used to pay expenses associated with the use of The Greenbrier's facilities. Lodging, however, is not included with the registration fee. The WVDO's registration fees will be approximately \$5,000.

The WVDO states that it will only be paying for lodging at The Greenbrier for WVDO employees. It will "provide on-site lodging for necessary personnel and host business prospects . . . to support its mission to recruit new and better jobs to West Virginia." It anticipates total expenses to The Greenbrier to not exceed \$5,000 for meals and lodging. The WVDO states that the final amount owed for these events is typically less than the amount budgeted.

The WVDO states that it has attended the Summit in the past "to interact with business leaders from West Virginia to learn about their operations and identify opportunities to grow those companies." While it does not have a list of attendees, the WVDO states that it is not uncommon for out-of-state businesses with interests in West Virginia to attend the Summit. The WVDO states that it "can meet and network with companies or professionals attending the event who may have interest in bringing business to the state."

The larger exemption request on behalf of both the WVDO and the WVTO is to alleviate the need to seek event by event exemptions. For example, the WVDO states that it desires to continue to use The Greenbrier to host site location consultants who "act as intermediary counselors between their corporate clients evaluating significant capital investments and state economic development agencies representing potential locations for those investments." The WVDO states it has no current plans to host these individuals at The Greenbrier but would like the flexibility to do so. The WVTO is also invited to attend events at The Greenbrier representing business recruitment opportunities and is seeking similar flexibility.

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<sup>1</sup> 2017 Annual Meeting and Business Summit, West Virginia Chamber, <http://www.wvchamber.com/wcevents/eventdetail.aspx?eventid=311> (last visited August 11, 2017).

**Provisions Relied Upon by the Commission**

W. Va. Code § 6B-2-5(d)(1) states, in relevant part:

[N]o elected or appointed public official or public employee or member of his or her immediate family or business with which he or she is associated may be a party to or have an interest in the profits or benefits of a contract which the official or employee may have direct authority to enter into, or over which he or she may have control ....

W. Va. Code § 6B-2-5(d)(2) states, in relevant part:

In the absence of bribery or a purpose to defraud, an elected or appointed public official or public employee or a member of his or her immediate family or a business with which he or she is associated shall not be considered as having a prohibited financial interest in a public contract when such a person has a limited interest as an owner, shareholder or creditor of the business which is awarded a public contract. A limited interest for the purposes of this subsection is:

(A) An interest which does not exceed one thousand dollars in the profits or benefits of the public contract or contracts in a calendar year;

(B) An interest as a creditor of a public employee or official who exercises control over the contract, or a member of his or her immediate family, if the amount is less than five thousand dollars.

W. Va. Code § 6B-2-5(d)(3) states, in relevant part:

If a public official or employee has an interest in the profits or benefits of a contract, then he or she may not make, participate in making, or in any way attempt to use his office or employment to influence a government decision affecting his or her financial or limited financial interest. Public officials shall also comply with the voting rules prescribed in subsection (j) of this section.

W. Va. Code § 6B-2-5(d)(4) states, in relevant part:

Where the provisions of subdivisions (1) and (2) of this subsection would result in the loss of a quorum in a public body or agency, in excessive cost, undue hardship, or other substantial interference with the operation of a state, county, municipality, county school board or other governmental agency, the affected governmental body or agency may make written application to the Ethics Commission for an exemption from subdivisions (1) and (2) of this subsection.



W. Va. Code R. § 158-8-4 states, in relevant part:

Public officials or public employees or members of their immediate family are considered to be "associated" with a business if they or their immediate family member are a director, officer or holder of stock which constitutes five percent or more of the total outstanding stocks of any class.

### **Advisory Opinion**

The Ethics Act ("Act") prohibits a public official or member of the official's immediate family or business with which the official is associated from having more than a limited interest in the profits or benefits of a public contract over which the official has direct authority or control unless the governing body seeks, and receives, an exemption to contract with the public official. W. Va. Code § 6B-2-5(d). The Ethics Commission will first analyze whether to grant a Contract Exemption to the WVDO to attend the Business Summit.

### **The Business Summit**

~~The public contracts at issue here are the WVDO's registration fee~~ to attend the Summit, a portion of which will be used by the West Virginia Chamber of Commerce to pay for its use of The Greenbrier's facilities, as well as the WVDO's anticipated lodging and other expenses paid directly to The Greenbrier. The Greenbrier constitutes a business with which the Governor of West Virginia is associated for purposes of W. Va. Code § 6B-2-5(d) due to the Governor owning more than five percent of The Greenbrier's total outstanding stock. W. Va. Code R. § 158-8-4. The WVDO anticipates the total expenses payable to The Greenbrier to not exceed \$5,000.

The Greenbrier has a direct financial interest in the WVDO's lodging and other expenses paid to The Greenbrier. Additionally, The Greenbrier has an indirect financial interest in the WVDO's registration fee. The Greenbrier's financial interest in the registration fee is not precluded by the fact that the WVDO first pays the fee to the West Virginia Chamber of Commerce. Indeed, "[t]he Commission has consistently applied the Ethics Act's prohibitions to relationships with subcontractors as well as contractors." Advisory Opinion 2013-27; see also Advisory Opinion 94-22 ("Therefore, it would be a violation of WV Code §6B-2-5(d)(1) for the requester's private company to enter into a public contract directly . . . or indirectly as a subcontractor to perform private work for that [public agency]."). Accordingly, the Commission finds that a business with which the Governor is associated, The Greenbrier, has more than a "limited interest"<sup>2</sup> in the WVDO's public contracts.

A financial interest in a public contract alone is not enough to trigger the prohibition in W. Va. Code § 6B-2-5(d)(1). A public official must also have either direct authority or control

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<sup>2</sup> The Ethics Act contains a "limited interest" exception to the public contract prohibition. W. Va. Code § 6B-2-5(d)(2); see also W. Va. Code R. § 158-8-3 ("A limited interest is an amount not to exceed \$1,000.00 in the gross revenues in a public contract or contracts per calendar year. The \$1,000.00 limit is applicable to gross revenues received through a public contract by a public official . . . or business with which the public official . . . is associated.").

over the public contract in which the official has a financial interest. In this case, the Governor is the chief executive officer of the State of West Virginia and directly appoints the executive director of the WVDO who serves at the will and pleasure of the Governor. W. Va. Const. Art. 7 § 5; W. Va. Code § 5B-2-2(a). Furthermore, the Cabinet Secretary of the Department of Commerce, the Department under which the WVDO is organized, is appointed by and serves at the will and pleasure of the Governor. W. Va. Code § 5B-1-1. ~~The Commission finds that the Governor has sufficient control over the public contracts of the WVDO with The Greenbrier for purposes of W. Va. Code § 6B-2-5(d)(1).~~

**Therefore, unless it receives a Contract Exemption, W. Va. Code § 6B-2-5(d)(1) prohibits the WVDO from either directly contracting with The Greenbrier or indirectly through paying registration fees.**

#### **Excessive Cost, Undue Hardship or Other Substantial Interference**

The Commission may grant an affected governmental body an exemption from the prohibition in W. Va. Code § 6B-2-5(d)(1) when it would result in excessive cost, undue hardship or other substantial interference with the operation of the governmental body. W. Va. Code § 6B-2-5(d)(4).

The WVDO states that "it would place a hardship on the agency and substantially interfere with its purpose if it is unable to attend the Business Summit because it is the only function of its kind during the year that convenes these businesses and their representatives in a single location." The WVDO articulates that the benefits to the WVDO through attending the Summit are generally intangible and difficult to quantify because the WVDO "builds good will and fosters or nurtures relationships that lead to positive impacts to the West Virginia economy over time." The WVDO desires to be at the Business Summit so that its representatives would be available to meet with interested parties if such a business was inclined to interact and learn more about business opportunities in the state.

The WVDO states that "[w]hile not necessarily associated with the Business Summit, . . . many of the major investments that have been announced over the past years . . . have involved meetings at The Greenbrier Resort." It states that The Greenbrier is a unique venue in West Virginia because "it has a national reputation and is very effective in demonstrating West Virginia's greatest assets: its people, natural beauty, and recreational opportunities." The WVDO states when it uses The Greenbrier, its clients and prospects "leave with a positive opinion of the state which is critical when selling the state as a location to invest substantial sums of money and resources." If it loses The Greenbrier as a venue to host prospects and clients, the WVDO states it would sacrifice one of its most effective tools to showcase the state.

#### **The Ethics Commission's Analysis**

~~The Commission does not doubt the WVDO's judgment that the Summit is effective as a business recruitment tool. See Advisory Opinion 95-28 ("The determination of whether [an] activity will actually benefit the state by promoting tourism and economic development is an issue for the [agency] to resolve."). The Commission nonetheless expresses difficulty in granting an exemption in this case. As the WVDO states, the~~

~~benefits of attending the Summit are intangible and difficult to quantify. If the WVDO is prohibited from participating in this year's Summit, it is not a certainty that the state will lose out on significant investment opportunities.~~

~~If the WVDO is prohibited from attending the Summit, however, the Commission finds that the WVDO will lose a significant opportunity to carry out its statutory mandate, which includes advertising and marketing the resources offered by the state with respect to the needs of business and industry. W. Va. Code § 5B-2-2. The Commission finds persuasive that the Summit offers a benefit that few other functions can match as the WVDO can advertise and market the state's resources to businesses and representatives statewide in a single location. It is also significant that the decision regarding where the Summit is to be held is not within the WVDO's control. The WVDO cannot simply select another venue to hold the Summit so that it may participate.~~

~~The Commission hereby grants the WVDO a Contract Exemption, in an amount not to exceed \$5,000, for the cost of registration for WVDO staff to attend the 2017 Business Summit of the West Virginia Chamber of Commerce. No public funds may be expended for lodging or meals at The Greenbrier. In granting this exemption, the Commission cautions the West Virginia Development Office that public funds may only be expended for an authorized purpose, may not be spent for private gain, and must be spent using fiscal responsibility. Advisory Opinion 2014-01. Public funds must not be used for personal gain or to otherwise "benefit narrow economic or political interests at the expense of the public at large." W. Va. Code § 6B-1-2(a).~~


#### All Future Functions and/or Events

To obviate the need to seek a Contract Exemption from one event to the next, the WVDO and the WVTO request a blanket Contract Exemption for future functions and/or events occurring at The Greenbrier that represent business recruitment opportunities for West Virginia.

The Commission must consider Contract Exemption requests on a case-by-case basis. See, e.g., C.E. 2013-04 ("Despite the unique situation presented, the Commission cannot grant a blanket exemption"). While the Commission has granted a Contract Exemption for the WVDO to attend the Summit at The Greenbrier, it does not necessarily follow that the WVDO or WVTO will suffer excessive cost, undue hardship or other substantial interference if it cannot attend all events at The Greenbrier that may represent business recruitment opportunities.<sup>3</sup> ~~The Ethics Commission declines to grant Contract Exemptions for all such functions and/or events held at The Greenbrier in the future.~~

<sup>3</sup> The WVTO is currently planning to attend the West Virginia Hospitality and Travel Association's annual conference to be held at The Greenbrier in January 2018. The WVTO has provided no information, however, to support a finding of excessive cost, undue hardship or other substantial interference with the operation of the WVTO if it is prohibited from attending the conference.

*The Ethics Commission notes that exemptions must be granted on a case-by-case basis. Therefore, this Contract Exemption is limited to the facts and circumstances of this particular case, and may not be relied upon as precedent by other persons or entities.*

  
Robert J. Wolfe / Chairperson  
WV Ethics Commission

**White, Patricia J**

---

**From:** Oliver, Kristina J  
**Sent:** Wednesday, June 01, 2016 11:51 AM  
**To:** White, Patricia J  
**Cc:** Jarrell, Joshua L; Martin, Debra K  
**Subject:** Per your request  
**Attachments:** Reminder Invitation!; Thanks and an Invitation; Thank You! And an Invitation!; Thanks and an Invitation; FW: Golf Tournament - Overnight Client Form ; Daypass Client Form; Additions for Greenbrier Classic; RE: draft of Greenbrier Classic invitation; Fwd: Golf Tournament - Overnight Client Form ; Daypass Client Form; RE: Greenbrier Classic tally; FW: Reminder - Greenbrier Classic Invitation; Reminder and an Invitation; FW: Reminder Invitation!; Reminder Invitation!; RE: Thank you and an invitation!; Thank you and an invitation!; FW: Thank You! And an Invitation!; Thank You! And an Invitation!; Fwd: Thanks and an Invitation; Thanks and an Invitation; Thanks and an Invitation; Thanks and an Invitation; Thanks and an Invitation; Thanks and an Invitation; Re: Updated forms - added Wed concert - Greenbrier Classic; Re: Updated forms - added Wed concert - Greenbrier Classic; Fwd: Updated forms - added Wed concert - Greenbrier Classic; RE: updated list for Greenbrier Classic; RE: updated list for Greenbrier Classic; RE: updated list for Greenbrier Classic; Fwd: Accepted: The Greenbrier Classic; RE: Greenbrier Classic

**Importance:** High

Here you go!

**Kristina Oliver, State Director**

**West Virginia Small Business Development Center**

*Small business is **BIG** business in West Virginia!*

*SBDC helps West Virginia companies with up to 500 employees succeed every day.*



Capitol Complex, Building 6, Room 553  
Charleston, WV 25305-0311  
(304) 957-2087  
(888) 982-7232 (Business Ask Me Line)  
Kristina.J.Oliver@wv.gov  
[www.wvsbdc.org](http://www.wvsbdc.org)

*Supported by the West Virginia Development Office.*

*Funded in part through a cooperative agreement with the U.S. Small Business Administration.*

*WVSBDC is an Accredited Member of America's SBDC.*

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## **CHANGE - VIP PARKING LOT LOCATION**

**Please note the VIP Parking Lot has moved locations and is now closer to The Greenbrier.**

### **VIP PARKING – LOT V**

VIP Parking (Lot V) is located at the Sports Performance Center at The Greenbrier.

### **DIRECTIONS**

Traveling from East of Lewisburg, West Virginia:

- Take exit 181 on Right
- Turn Right onto Route 60 at end of exit ramp
- Turn Left onto Kate's Mountain Road (located after The Greenbrier's Main Entrance)
- Follow Signs to VIP PARKING Lot — Entry on Right

*Travel time from Roanoke, Virginia approximately 1 hour 30 minutes*

*Travel time from Covington, Virginia approximately 40 minutes*

Traveling from West of Lewisburg, West Virginia:

- Take exit 175 on Right
- Turn Left onto Harts Run Road at end of exit ramp
- Turn Right onto Route 60
- Turn Right onto Kate's Mountain Road (located after The Greenbrier Clinic Entrance)
- Follow Signs to VIP PARKING Lot — Entry on Right

*Travel time from Beckley, West Virginia approximately 40 minutes*

### **PARKING INFORMATION**

- Follow official Tournament roadway signage to VIP Parking (Lot V)
- There is no fee for VIP Parking
- Please display Lot V Parking Pass for access onto Parking Grounds
- Upon entering, follow directions to VIP (Lot V) parking area
- Carpooling is highly encouraged

### **SHUTTLE INFORMATION**

Upon arrival at the parking area, a Tournament shuttle will pick up and drop off spectators at the Clubhouse. There is no additional fee for the shuttle. No drop off or walk up traffic is permitted at the Tournament. Shuttles will run continuously throughout the day and will continue for thirty (30) minutes after completion of play each day.

### **ADA PARKING**

ADA parking will be available at the VIP PARKING Lot (Lot V). Follow Tournament road signage to designated handicapped parking area. Wheelchair accessible buses will be available to shuttle persons with disabled needs and their guests to the Tournament. A state issued handicap hangtag, sticker, or plate is required for access.



## WILD, WONDERFUL WEST VIRGINIA WELCOME CENTER

This exclusive venue is located on the 17<sup>th</sup> Green and also provides a gorgeous view of the course. You will enjoy indoor and outdoor seating and a chance to see what our Division of Tourism has prepared to showcase our State.

## Welcome

Our West Virginia team looks forward to hosting you at both of our exclusive venues located on the 17<sup>th</sup> Green and at the Wild, Wonderful West Virginia Welcome Center located on the 17<sup>th</sup> Green. Our Development and Tourism Staff and Partners will be on hand at both locations throughout the tournament. We look forward to meeting you and answering any questions that you may have concerning your experience here in West Virginia.

### Useful Tips:

Please keep in mind that there is a 6" x 6" bag restriction on the course during tournament play. We encourage you to prepare in advance and leave larger bags in your room. Also, cell phones are permitted but must be placed on SILENT during tournament play. Be sure to look through the Sponsorship guide for additional details of the tournament. You must have your tickets with you at all times. Breakfast and lunch will be provided for you daily at the 18<sup>th</sup> Green. We have also included a dress code for the Greenbrier property for your convenience.

### DETAILS:

#### GREEN SKYBOX

This exclusive venue is located on the 18<sup>th</sup> Green. We encourage you to take a break from the tournament and relax in a climate-controlled environment that provides indoor and outdoor seating, comfortable rooms and an outstanding food and beverage service. We are positive that you will enjoy the variety and accommodations.

#### Menu for Sunday

10:30 a.m.  
2:30 p.m.  
6:00 p.m.  
6:00 p.m.

Breakfast  
Lunch  
Hors d'oeuvres / Snacks  
Beverage Service

\*Please note: alcoholic beverage service starts at 11 a.m. and lasts until one hour prior to the start of play.

REP:

Clarifications?

**2015 Greenbrier Classic  
CLIENT PROFILE  
Overnight Clients Only**

Filled?

Name:

Company:

Address Line 1:

Address Line 2:

City/State/Zip:

Phone:

Cell:

Spouse/Guest

Children , if attending

(Give names, approx. ages):

Arrival Date:

Departure Date:

- Are VIP grounds passes desired by guest on day of departure? (Y/N)

(All overnight guests receive VIP grounds passes for arrival date & each day of stay—guest may not need departure date tickets.)

**Special Needs/Requests** (e.g., dietary needs, baby's crib, rollaway bed, 2 beds, etc.):

**Pro-Am player? (If so, M or W)?**

**Concert tickets are limited: Please confirm which days and no. of tickets desired for overnight clients:**

Wednesday night (July 1) Fairgrounds Concert (Keith Urban & The Band Perry)	No. tickets:
Friday night (July 3) Fairgrounds Concert (Miranda Lambert & Blake Shelton)	No. tickets:
Saturday night Private Concert (60 tickets only) (Act to be named)	No. tickets:

This information is confidential, privileged, and not subject to disclosure under West Virginia Law.



# MONDAY PRO-AM GUIDE



The Monday Pro-Am Participant Guide and Entry Form  
The Old White TPC Course at The Greenbrier  
Monday, June 29, 2015

## SCHEDULE OF EVENTS

Sunday, June 14, 2015

Amateur Participant Entry Forms Due

Monday, June 29, 2015

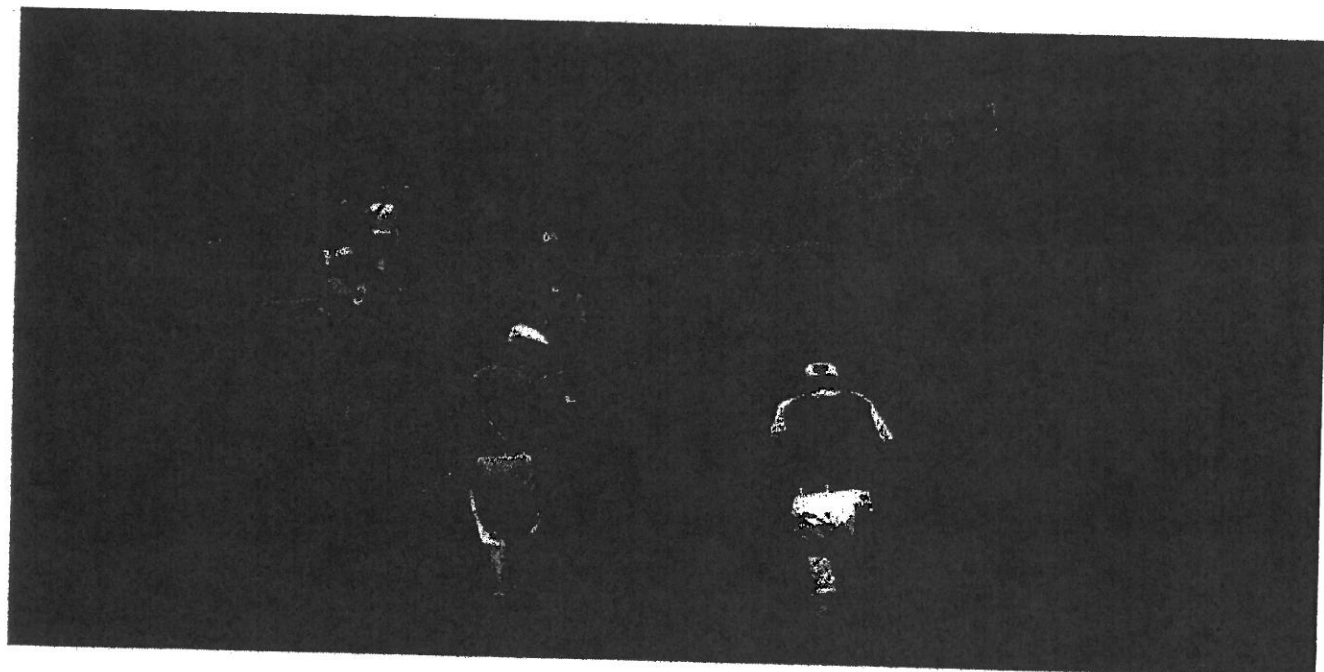
- 6 am Shuttles from The Greenbrier Main Entrance to the Clubhouse begins
- 7 am Shuttles from Lot V (VIP & Pro-Am Parking) at the Hart's Run Road to the Clubhouse begins
- 9 am Gift Distribution & Amateur Registration (Champions Room)
- 11 am – 1:30 pm Lunch service (Clubhouse)
- 12 pm Monday Pro-Am begins (shotgun start)
- 5 pm Pin Flag & Photo Distribution (Champions Room)  
& Awards Ceremony (Slammin' Sammy's)

## AWARDS & RECOGNITION

Awards will be presented to the 1st, 2nd, and 3rd place teams. The Awards Ceremony will take place following play in Slammin' Sammy's in the Clubhouse.

## BAG DROP

The Greenbrier is happy to assist with golf bags upon arrival at the Main Entrance to the hotel. The Greenbrier will transport each bag down to the bag staging area.



## MONDAY PRO-AM GUIDE cont.



### CADDIES

Golf carts will not be available during the Pro-Am. Each participant is asked to either provide his/her own caddie or ask the Tournament to provide one for them. Please indicate if you will be bringing your own caddie when filling out online entry form. All caddies must wear tennis shoes (*not golf shoes*). Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

#### Amateur Provided Caddie:

Amateur Caddies must register upon arriving to the golf course at the Amateur Caddie Registration Tent at the Practice Facility. Participant golf bags and amateur caddie bibs can be picked up at the Registration Tent. If the participant elects to bring his/her own caddie, please know that the caddie will not receive a fee or tip for their services. Carpooling is encouraged, however, should the caddie drive separately, caddies may park in the VIP Parking Lot (Lot V) where they will receive their Amateur Caddie Credential and ride a shuttle to the Clubhouse.

#### Tournament Provided Caddie:

Amateurs will meet his/her Tournament provided caddie at The Old White TPC Practice Facility prior to hitting practice balls or departing to a starting tee. The Tournament will take care of the caddie fee. Furthermore, if the caddie performs well, amateur participants may feel free to tip them. Range for this tip is \$20-\$50.

### CREDENTIALS

Each participant will be issued one Amateur Participant Credential at Monday's registration. The Amateur Participant Credential is valid for Monday only; granting the participant entrance to the Tournament Grounds, the Practice Facility, and to the Clubhouse. Each participant is required to display their Amateur Participant Credential at all times on Monday.

### ENTRY FORMS

Amateur Participant Entry Forms must be completed by Sunday, June 14, 2015. Entry forms will be completed online. Sponsors with spots in the Pro-Am will receive an email with more information.

## FORMAT

Each team will consist of three amateur participants with one PGA TOUR Professional. The team format is "One Best Ball" of four. Each participant, including the professional, will play his or her own ball. USGA rules apply. The team score will consist of the best net score of the three amateurs or the professional. The "Par is Your Partner" rule is in effect. The highest score any team can take on a hole is net par.

## FOOD & BEVERAGE

Lunch service will be provided for all amateur participants and their one guest in the Clubhouse from 11 am – 1:30 pm. Beverages will also be available throughout the course. The Awards Ceremony following the completion of play will feature cocktails and light hors d'oeuvres in Slammin' Slammy's in the Clubhouse.

## GIFT PACKAGE

The participant gift package will be distributed Monday, June 29th from 9am – 12pm in the Champions Room during registration. Each participant will also need to pick up their personalized pin flag and photo frame following completion of the Pro-Am round.

## GUESTS

Each participant is permitted to bring one guest to the Monday Pro-Am. Each amateur participant will be provided a Guest Credential upon request at Pro-Am Registration which is valid for Monday only; granting the guest access to the Tournament Grounds and the Clubhouse. Each guest is required to display their Guest Credential at all times on Monday. Carpooling is encouraged.

## HANDICAP INDEX

To receive the benefit of "strokes" in the Monday Pro-Am, you must satisfy one of the following handicap conditions:

1. Have a valid United States Golf Association (USGA) Handicap Index. That Handicap Index will be used to determine your Course Handicap for the Tournament. The maximum usable Course Handicap for men is 21 and 27 for women. Players with Course Handicaps above the Tournament maximums are welcome to play, however, they will play to their respective maximum.
2. If you do not have a USGA Handicap Index, you will need to supply the Tournament a letter from the Head Golf Professional of the course or club you play, assigning you a handicap based on their professional judgment and your prior golf scores. This letter must have the assigned handicap, contact information, and signature from the Head Golf Professional or Director of Golf. This letter must accompany the Amateur Participant Entry Form.

If you do not meet one of these two conditions, you will compete in the Pro-Am as a zero (0) handicap. Tournament staff will verify each amateur participant's handicap index prior to the Pro-Am. The handicap index used will be that existing on Sunday, June 14, 2015.

## MONDAY PRO-AM GUIDE cont.



### IMAGE RELEASE FORM

As part of the Amateur Participant Entry Form, the PGA TOUR requires each participant to sign a release form allowing the use of each participant's image and/or media rights if captured during the event. This document is included on the Amateur Participant Entry Form and needs to be signed and submitted by Sunday, June 14, 2015.

### PACE OF PLAY

For the enjoyment of everyone, the goal is to play the round in 4 ½ hours. To accomplish this, each participant must take responsibility to play in a timely manner. If any group is out of position, related to the group in front of them a Rules Official may move your group ahead.

### PRACTICE FACILITIES

Designated areas on the practice range and putting green will be available for amateur participants on the day of the Pro-Am. The Amateur Participant Credential will provide access to these areas.

### REGISTRATION

All participants must register on-site with the Tournament prior to play. Registration will begin on Monday morning at 9 am in the Champions Room located in the Clubhouse.

### SHOES & ATTIRE

The Old White TPC Course at The Greenbrier requires spikeless golf shoes. Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

### VALET PARKING

Upon arrival at The Greenbrier, participants should follow road signage towards the Main Entrance. Greenbrier staff will greet guests and valet park all vehicles. A Greenbrier shuttle will transport participants to the Champions Room in the Clubhouse.

# WEDNESDAY PRO-AM GUIDE



The Wednesday Pro-Am Participant Guide and Entry Form  
The Old White TPC Course at The Greenbrier  
Wednesday, July 1, 2015

## SCHEDULE OF EVENTS

Sunday, June 14, 2015

Amateur Participant Entry Forms Due

Tuesday, June 30, 2015

1 pm – 7:30 pm	Amateur Registration & Gift Distribution ( <i>Champions Room</i> )
7 pm	Pairings Party ( <i>Colonial Hall</i> )
8 pm	Draw

Wednesday, July 1, 2015

6 am Shuttles from hotel to Clubhouse begin

### MORNING FLIGHT

6 am – 10:30 am	Breakfast Service ( <i>Clubhouse</i> )
7 am	Morning Tee Times Begin
11 am – 2:30 pm	Lunch Service ( <i>Clubhouse</i> )
12 pm	Pin Flag & Photo Distribution ( <i>Champions Room</i> )

### AFTERNOON FLIGHT

12 pm	Afternoon Tee Times Begin
5 pm	Dinner Service
6 pm	Pin Flag & Photo Distribution ( <i>Champions Room</i> ) & Awards Ceremony ( <i>Slammin' Sammy's</i> )

## AWARDS & RECOGNITION

Awards will be presented to the 1st, 2nd, and 3rd place teams. The one team with the lowest score will be crowned the champion. The Awards Ceremony will begin at 6 pm in Slammin' Sammy's in the Clubhouse.

## BAG DROP

The Greenbrier is happy to assist with golf bags upon arrival at the Main Entrance to the hotel. The Greenbrier will transport each bag down to the bag staging area.

## WEDNESDAY PRO-AM GUIDE cont.



### **CADDIES**

Golf carts will not be available during the Pro-Am. Each participant is asked to either provide his/her own caddie or ask the Tournament to provide one for them. Please indicate if you will be bringing your own caddie when filling out online entry form. All caddies must wear tennis shoes (*not golf shoes*). Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

#### **Amateur Provided Caddie:**

Amateur Caddies must register upon arriving to the golf course at the Amateur Caddie Registration Tent at the Practice Facility. Participant golf bags and amateur caddie bibs can be picked up at the Registration Tent. If the participant elects to bring his/her own caddie, please know that the caddie will not receive a fee or tip for their services. Carpooling is encouraged, however, should the caddie drive separately, caddies may park in the VIP Parking Lot (Lot V) where they will receive their Amateur Caddie Credential and ride a shuttle to the Clubhouse.

#### **Tournament Provided Caddie:**

Amateurs will meet his/her Tournament provided caddie at The Old White TPC Practice Facility prior to hitting practice balls or departing to a starting tee. The Tournament will take care of the caddie fee. Furthermore, if the caddie performs well, amateur participants may feel free to tip them. Range for this tip is \$20-\$50.

### **CREDENTIALS**

Each participant will be issued one Amateur Participant Credential at Tuesday's registration. The Amateur Participant Credential is valid for Wednesday only; granting the participant entrance to the Tournament Grounds, the Practice Facility, and to the Clubhouse. Each participant is required to display their Amateur Participant Credential at all times on Wednesday.

### **ENTRY FORMS**

Amateur Participant Entry Forms must be completed by Sunday, June 14, 2015. Entry forms will be done online. Sponsors with spots in the Pro-Am will receive an email with more information.

## WEDNESDAY PRO-AM GUIDE cont.



### FOOD & BEVERAGE

All Wednesday Pro-Am amateur participants and their one guest are invited to attend the Wednesday Pro-Am Pairings Party on Tuesday evening at 7 pm. The Wednesday Pro-Am Pairings Party will begin with cocktails followed by dinner and the draw. A formal invite will be mailed to each participant following their registration and will require an RSVP prior to June 23rd, 2015.

**Morning Flight:** Breakfast and lunch service will be provided for all amateur participants and their guest in the Clubhouse. Breakfast service will begin at 6 am. Beverages will also be available throughout the course. Lunch service will be provided from 11 am – 2:30 pm.

**Afternoon Flight:** Lunch service will be provided for all amateur participants and their one guest in the Clubhouse from 11 am – 2:30 pm. Beverages will also be available throughout the course. The Awards Ceremony following the completion of play will feature cocktails and light hors d'oeuvres at 6:00 pm in Slammin' Slammy's in the Clubhouse.

### FORMAT

Each team will consist of three amateur participants with one PGA TOUR Professional. The team format is "One Best Ball" of four. Each participant, including the professional, will play his or her own ball. USGA rules apply. The team score will consist of the best net score of the three amateurs or the professional. The "Par is Your Partner" rule is in effect. The highest score any team can take on a hole is net par.

### GIFT PACKAGE

The participant gift package will be distributed Tuesday, June 30 from 1 pm – 7:30 pm in the Champions Room during registration. Each participant will also need to pick up their personalized pin flag and photo frame following completion of the Pro-Am round.

### GUESTS

Each participant is permitted to bring one guest to the Wednesday Pro-Am. Each amateur participant will be provided a Guest Credential upon request at Registration which is valid for Wednesday only; granting the guest access to the Tournament Grounds and the Clubhouse. Each guest is required to display their Guest Credential at all times on Wednesday. Carpooling is encouraged.



## HANDICAP INDEX

To receive the benefit of "strokes" in the Wednesday Pro-Am, you must satisfy one of the following handicap conditions:

1. Have a valid United States Golf Association (USGA) Handicap Index. That Handicap Index will be used to determine your Course Handicap for the Tournament. The maximum usable Course Handicap for men is 21 and 27 for women. Players with Course Handicaps above the Tournament maximums are welcome to play, however, they will play to their respective maximum.
2. If you do not have a USGA Handicap Index, you will need to supply the Tournament a letter from the Head Golf Professional of the course or club you play, assigning you a handicap based on their professional judgment and your prior golf scores. This letter must have the assigned handicap, contact information, and signature from the Head Golf Professional or Director of Golf. This letter must accompany the Amateur Participant Entry Form.

If you do not meet one of these two conditions, you will compete in the Pro-Am as a zero (0) handicap. Tournament staff will verify each amateur participant's handicap index prior to the Pro-Am. The handicap index used will be that existing on Sunday, June 14, 2015.

## IMAGE RELEASE FORM

As part of the Amateur Participant Entry Form, the PGA TOUR requires each participant to sign a release form allowing the use of each participant's image and/or media rights if captured during the event. This document is included on the Amateur Participant Entry Form and needs to be signed and submitted by Sunday, June 14, 2015.

## OFF-PROPERTY ACCOMMODATIONS

Participants not staying at The Greenbrier are encouraged to bring his/her golf bag to Tuesday's Registration. The Amateur Participant Credential will allow the participant access to Tournament Grounds on Wednesday. The Greenbrier will be happy to assist with golf bags upon arrival at the Main Entrance to the hotel. A Greenbrier shuttle will provide transportation to the Clubhouse.

## PACE OF PLAY

For the enjoyment of everyone, the goal is to play the round in 4 ½ hours. To accomplish this, each participant must take responsibility to play in a timely manner. If any group is out of position, related to the group in front of them – a PGA TOUR Rules Official may move your group ahead.

## PRACTICE FACILITIES

Designated areas on the practice range and putting green will be available for amateur participants on the day of the Pro-Am. The Amateur Participant Credential will provide access to these areas.



## WEDNESDAY PRO-AM GUIDE cont.

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### REGISTRATION

All participants must register on-site with the Tournament prior to play. Registration will take place on Tuesday afternoon beginning at 1 pm in the Champions Room located in the Clubhouse.

### SHOES & ATTIRE

Jacket required for participants and guests attending the Wednesday Pro-Am Pairings Party on Tuesday evening. The Old White TPC Course at The Greenbrier requires spikeless golf shoes. Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

### VALET PARKING

Upon arrival at The Greenbrier, participants should follow road signage towards the Main Entrance. Greenbrier staff will greet guests and valet park all vehicles. A Greenbrier shuttle will transport participants to the Champions Room in the Clubhouse.

# MONDAY PRO-AM GUIDE



The Monday Pro-Am Participant Guide and Entry Form  
The Old White TPC Course at The Greenbrier  
Monday, June 29, 2015

## SCHEDULE OF EVENTS

Sunday, June 14, 2015

Amateur Participant Entry Forms Due

Monday, June 29, 2015

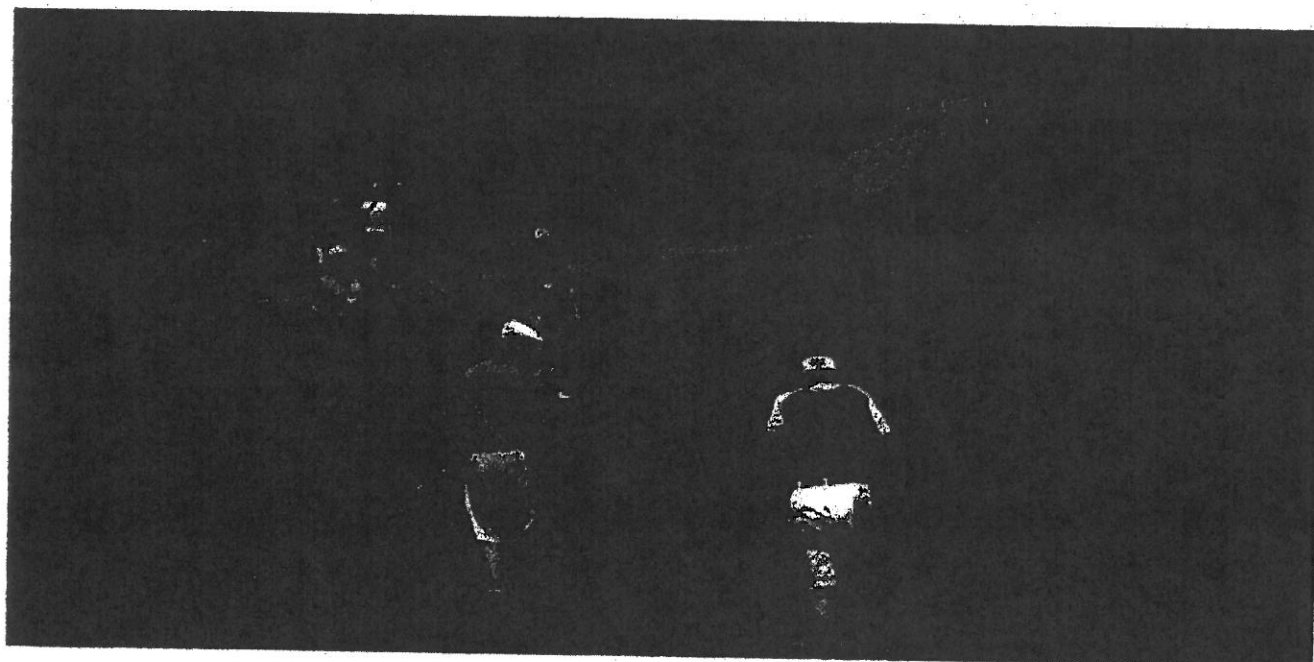
- 6 am Shuttles from The Greenbrier Main Entrance to the Clubhouse begins
- 7 am Shuttles from Lot V (VIP & Pro-Am Parking) at the Hart's Run Road to the Clubhouse begins
- 9 am Gift Distribution & Amateur Registration (*Champions Room*)
- 11 am – 1:30 pm Lunch service (*Clubhouse*)
- 12 pm Monday Pro-Am begins (*shotgun start*)
- 5 pm Pin Flag & Photo Distribution (*Champions Room*)  
& Awards Ceremony (*Slammin' Sammy's*)

## AWARDS & RECOGNITION

Awards will be presented to the 1st, 2nd, and 3rd place teams. The Awards Ceremony will take place following play in Slammin' Sammy's in the Clubhouse.

## BAG DROP

The Greenbrier is happy to assist with golf bags upon arrival at the Main Entrance to the hotel. The Greenbrier will transport each bag down to the bag staging area.



## MONDAY PRO-AM GUIDE cont.



### **CADDIES**

Golf carts will not be available during the Pro-Am. Each participant is asked to either provide his/her own caddie or ask the Tournament to provide one for them. Please indicate if you will be bringing your own caddie when filling out online entry form. All caddies must wear tennis shoes (*not golf shoes*). Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

#### **Amateur Provided Caddie:**

Amateur Caddies must register upon arriving to the golf course at the Amateur Caddie Registration Tent at the Practice Facility. Participant golf bags and amateur caddie bibs can be picked up at the Registration Tent. If the participant elects to bring his/her own caddie, please know that the caddie will not receive a fee or tip for their services. Carpooling is encouraged, however, should the caddie drive separately, caddies may park in the VIP Parking Lot (Lot V) where they will receive their Amateur Caddie Credential and ride a shuttle to the Clubhouse.

#### **Tournament Provided Caddie:**

Amateurs will meet his/her Tournament provided caddie at The Old White TPC Practice Facility prior to hitting practice balls or departing to a starting tee. The Tournament will take care of the caddie fee. Furthermore, if the caddie performs well, amateur participants may feel free to tip them. Range for this tip is \$20-\$50.

### **CREDENTIALS**

Each participant will be issued one Amateur Participant Credential at Monday's registration. The Amateur Participant Credential is valid for Monday only; granting the participant entrance to the Tournament Grounds, the Practice Facility, and to the Clubhouse. Each participant is required to display their Amateur Participant Credential at all times on Monday.

### **ENTRY FORMS**

Amateur Participant Entry Forms must be completed by Sunday, June 14, 2015. Entry forms will be completed online. Sponsors with spots in the Pro-Am will receive an email with more information.

## FORMAT

Each team will consist of three amateur participants with one PGA TOUR Professional. The team format is "One Best Ball" of four. Each participant, including the professional, will play his or her own ball. USGA rules apply. The team score will consist of the best net score of the three amateurs or the professional. The "Par is Your Partner" rule is in effect. The highest score any team can take on a hole is net par.

## FOOD & BEVERAGE

Lunch service will be provided for all amateur participants and their one guest in the Clubhouse from 11 am – 1:30 pm. Beverages will also be available throughout the course. The Awards Ceremony following the completion of play will feature cocktails and light hors d'oeuvres in Slammin' Sammy's in the Clubhouse.

## GIFT PACKAGE

The participant gift package will be distributed Monday, June 29th from 9am – 12pm in the Champions Room during registration. Each participant will also need to pick up their personalized pin flag and photo frame following completion of the Pro-Am round.

## GUESTS

Each participant is permitted to bring one guest to the Monday Pro-Am. Each amateur participant will be provided a Guest Credential upon request at Pro-Am Registration which is valid for Monday only; granting the guest access to the Tournament Grounds and the Clubhouse. Each guest is required to display their Guest Credential at all times on Monday. Carpooling is encouraged.

## HANDICAP INDEX

To receive the benefit of "strokes" in the Monday Pro-Am, you must satisfy one of the following handicap conditions:

1. Have a valid United States Golf Association (USGA) Handicap Index. That Handicap Index will be used to determine your Course Handicap for the Tournament. The maximum usable Course Handicap for men is 21 and 27 for women. Players with Course Handicaps above the Tournament maximums are welcome to play, however, they will play to their respective maximum.
2. If you do not have a USGA Handicap Index, you will need to supply the Tournament a letter from the Head Golf Professional of the course or club you play, assigning you a handicap based on their professional judgment and your prior golf scores. This letter must have the assigned handicap, contact information, and signature from the Head Golf Professional or Director of Golf. This letter must accompany the Amateur Participant Entry Form.

If you do not meet one of these two conditions, you will compete in the Pro-Am as a zero (0) handicap. Tournament staff will verify each amateur participant's handicap index prior to the Pro-Am. The handicap index used will be that existing on Sunday, June 14, 2015.

## MONDAY PRO-AM GUIDE cont.



### IMAGE RELEASE FORM

As part of the Amateur Participant Entry Form, the PGA TOUR requires each participant to sign a release form allowing the use of each participant's image and/or media rights if captured during the event. This document is included on the Amateur Participant Entry Form and needs to be signed and submitted by Sunday, June 14, 2015.

### PACE OF PLAY

For the enjoyment of everyone, the goal is to play the round in 4 ½ hours. To accomplish this, each participant must take responsibility to play in a timely manner. If any group is out of position, related to the group in front of them a Rules Official may move your group ahead.

### PRACTICE FACILITIES

Designated areas on the practice range and putting green will be available for amateur participants on the day of the Pro-Am. The Amateur Participant Credential will provide access to these areas.

### REGISTRATION

All participants must register on-site with the Tournament prior to play. Registration will begin on Monday morning at 9 am in the Champions Room located in the Clubhouse.

### SHOES & ATTIRE

The Old White TPC Course at The Greenbrier requires spikeless golf shoes. Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

### VALET PARKING

Upon arrival at The Greenbrier, participants should follow road signage towards the Main Entrance. Greenbrier staff will greet guests and valet park all vehicles. A Greenbrier shuttle will transport participants to the Champions Room in the Clubhouse.

# WEDNESDAY PRO-AM GUIDE



The Wednesday Pro-Am Participant Guide and Entry Form  
The Old White TPC Course at The Greenbrier  
Wednesday, July 1, 2015

## SCHEDULE OF EVENTS

Sunday, June 14, 2015

Amateur Participant Entry Forms Due

Tuesday, June 30, 2015

1 pm – 7:30 pm	Amateur Registration & Gift Distribution ( <i>Champions Room</i> )
7 pm	Pairings Party ( <i>Colonial Hall</i> )
8 pm	Draw

Wednesday, July 1, 2015

6 am Shuttles from hotel to Clubhouse begin

### MORNING FLIGHT

6 am – 10:30 am	Breakfast Service ( <i>Clubhouse</i> )
7 am	Morning Tee Times Begin
11 am – 2:30 pm	Lunch Service ( <i>Clubhouse</i> )
12 pm	Pin Flag & Photo Distribution ( <i>Champions Room</i> )

### AFTERNOON FLIGHT

12 pm	Afternoon Tee Times Begin
5 pm	Dinner Service
6 pm	Pin Flag & Photo Distribution ( <i>Champions Room</i> ) & Awards Ceremony ( <i>Slammin' Sammy's</i> )

## AWARDS & RECOGNITION

Awards will be presented to the 1st, 2nd, and 3rd place teams. The one team with the lowest score will be crowned the champion. The Awards Ceremony will begin at 6 pm in Slammin' Sammy's in the Clubhouse.

## BAG DROP

The Greenbrier is happy to assist with golf bags upon arrival at the Main Entrance to the hotel. The Greenbrier will transport each bag down to the bag staging area.

## WEDNESDAY PRO-AM GUIDE cont.



### **CADDIES**

Golf carts will not be available during the Pro-Am. Each participant is asked to either provide his/her own caddie or ask the Tournament to provide one for them. Please indicate if you will be bringing your own caddie when filling out online entry form. All caddies must wear tennis shoes (*not golf shoes*). Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

#### **Amateur Provided Caddie:**

Amateur Caddies must register upon arriving to the golf course at the Amateur Caddie Registration Tent at the Practice Facility. Participant golf bags and amateur caddie bibs can be picked up at the Registration Tent. If the participant elects to bring his/her own caddie, please know that the caddie will not receive a fee or tip for their services. Carpooling is encouraged, however, should the caddie drive separately, caddies may park in the VIP Parking Lot (Lot V) where they will receive their Amateur Caddie Credential and ride a shuttle to the Clubhouse.

#### **Tournament Provided Caddie:**

Amateurs will meet his/her Tournament provided caddie at The Old White TPC Practice Facility prior to hitting practice balls or departing to a starting tee. The Tournament will take care of the caddie fee. Furthermore, if the caddie performs well, amateur participants may feel free to tip them. Range for this tip is \$20-\$50.

### **CREDENTIALS**

Each participant will be issued one Amateur Participant Credential at Tuesday's registration. The Amateur Participant Credential is valid for Wednesday only; granting the participant entrance to the Tournament Grounds, the Practice Facility, and to the Clubhouse. Each participant is required to display their Amateur Participant Credential at all times on Wednesday.

### **ENTRY FORMS**

Amateur Participant Entry Forms must be completed by Sunday, June 14, 2015. Entry forms will be done online. Sponsors with spots in the Pro-Am will receive an email with more information.



## WEDNESDAY PRO-AM GUIDE cont.



### FOOD & BEVERAGE

All Wednesday Pro-Am amateur participants and their one guest are invited to attend the Wednesday Pro-Am Pairings Party on Tuesday evening at 7 pm. The Wednesday Pro-Am Pairings Party will begin with cocktails followed by dinner and the draw. A formal invite will be mailed to each participant following their registration and will require an RSVP prior to June 23rd, 2015.

**Morning Flight:** Breakfast and lunch service will be provided for all amateur participants and their guest in the Clubhouse. Breakfast service will begin at 6 am. Beverages will also be available throughout the course. Lunch service will be provided from 11 am – 2:30 pm.

**Afternoon Flight:** Lunch service will be provided for all amateur participants and their one guest in the Clubhouse from 11 am – 2:30 pm. Beverages will also be available throughout the course. The Awards Ceremony following the completion of play will feature cocktails and light hors d'oeuvres at 6:00 pm in Slammin' Slammy's in the Clubhouse.

### FORMAT

Each team will consist of three amateur participants with one PGA TOUR Professional. The team format is "One Best Ball" of four. Each participant, including the professional, will play his or her own ball. USGA rules apply. The team score will consist of the best net score of the three amateurs or the professional. The "Par is Your Partner" rule is in effect. The highest score any team can take on a hole is net par.

### GIFT PACKAGE

The participant gift package will be distributed Tuesday, June 30 from 1 pm – 7:30 pm in the Champions Room during registration. Each participant will also need to pick up their personalized pin flag and photo frame following completion of the Pro-Am round.

### GUESTS

Each participant is permitted to bring one guest to the Wednesday Pro-Am. Each amateur participant will be provided a Guest Credential upon request at Registration which is valid for Wednesday only; granting the guest access to the Tournament Grounds and the Clubhouse. Each guest is required to display their Guest Credential at all times on Wednesday. Carpooling is encouraged.

## HANDICAP INDEX

To receive the benefit of "strokes" in the Wednesday Pro-Am, you must satisfy one of the following handicap conditions:

1. Have a valid United States Golf Association (USGA) Handicap Index. That Handicap Index will be used to determine your Course Handicap for the Tournament. The maximum usable Course Handicap for men is 21 and 27 for women. Players with Course Handicaps above the Tournament maximums are welcome to play, however, they will play to their respective maximum.
2. If you do not have a USGA Handicap Index, you will need to supply the Tournament a letter from the Head Golf Professional of the course or club you play, assigning you a handicap based on their professional judgment and your prior golf scores. This letter must have the assigned handicap, contact information, and signature from the Head Golf Professional or Director of Golf. This letter must accompany the Amateur Participant Entry Form.

If you do not meet one of these two conditions, you will compete in the Pro-Am as a zero (0) handicap. Tournament staff will verify each amateur participant's handicap index prior to the Pro-Am. The handicap index used will be that existing on Sunday, June 14, 2015.

## IMAGE RELEASE FORM

As part of the Amateur Participant Entry Form, the PGA TOUR requires each participant to sign a release form allowing the use of each participant's image and/or media rights if captured during the event. This document is included on the Amateur Participant Entry Form and needs to be signed and submitted by Sunday, June 14, 2015.

## OFF-PROPERTY ACCOMMODATIONS

Participants not staying at The Greenbrier are encouraged to bring his/her golf bag to Tuesday's Registration. The Amateur Participant Credential will allow the participant access to Tournament Grounds on Wednesday. The Greenbrier will be happy to assist with golf bags upon arrival at the Main Entrance to the hotel. A Greenbrier shuttle will provide transportation to the Clubhouse.

## PACE OF PLAY

For the enjoyment of everyone, the goal is to play the round in 4 ½ hours. To accomplish this, each participant must take responsibility to play in a timely manner. If any group is out of position, related to the group in front of them – a PGA TOUR Rules Official may move your group ahead.

## PRACTICE FACILITIES

Designated areas on the practice range and putting green will be available for amateur participants on the day of the Pro-Am. The Amateur Participant Credential will provide access to these areas.

## WEDNESDAY PRO-AM GUIDE cont.

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### REGISTRATION

All participants must register on-site with the Tournament prior to play. Registration will take place on Tuesday afternoon beginning at 1 pm in the Champions Room located in the Clubhouse.

### SHOES & ATTIRE

Jacket required for participants and guests attending the Wednesday Pro-Am Pairings Party on Tuesday evening. The Old White TPC Course at The Greenbrier requires spikeless golf shoes. Standard golf attire is required (*only collared shirts, slacks and/or shorts cut just above the knee are permitted*).

### VALET PARKING

Upon arrival at The Greenbrier, participants should follow road signage towards the Main Entrance. Greenbrier staff will greet guests and valet park all vehicles. A Greenbrier shuttle will transport participants to the Champions Room in the Clubhouse.

**White, Patricia J**

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**From:** Borrer, Matthew K  
**Sent:** Tuesday, June 07, 2016 1:34 PM  
**To:** White, Patricia J  
**Subject:** FW: Greenbrier Classic

Matt Borrer  
Business Retention & Expansion  
North Central / Northern Panhandle Region Business & Industrial Development West Virginia Development Office  
Capitol Complex, Building 6, Room 504 Charleston, West Virginia 25305-0311  
Office: (304)558-2234  
Mobile: (304)380-2413  
Fax: (304)558-0449  
Matthew.K.Borrer@wv.gov  
www.WVDO.org

-----Original Message-----

From: Borrer, Matthew K  
Sent: Friday, June 12, 2015 12:44 PM  
To: lhartle@warwoodtool.com; Phillip Carl <pcarl@warwoodtool.com>  
Subject: Greenbrier Classic

Logan and Phil,

I am able to get you guys an incredible package for the Greenbrier Classic as guests of the West Virginia Development Office.

- (2) rooms for 2 nights
- Check in on Thurs July 2 and check out Sat July 4 -reception with Gov. Tomblin and other dignitaries, golf personnel on Thurs July 2
- tickets to Miranda Lambert and Blake Shelton concert on Fri July 3 -access to WVDO 18th Hole Skybox to watch golf for 2 days

I need to get confirmation that you want the package as soon as possible so call me when you have a few minutes.  
Cell: 304-380-2413

Matt Borrer  
Business & Industrial Development  
WV Development Office  
Cell: 304-380-2413  
matthew.k.borrer@wv.gov

State of West Virginia  
Purchasing Division  
**AGREEMENT**

Purchase Order # TOR4981WVFIMS Account # 3067-2015-7511-61800

TEAM Vendor # \_\_\_\_\_

WVFIMS Vendor # 000000166506 Oasis # \_\_\_\_\_

I, Old White Charities, Inc., 300 W Main Street, White Sulphur Springs, WV, agree to perform the following services  
for WV Division of Tourism at 90 MacCorkle Avenue, SW, So Chas, WV  
(Agency) (Name and address) (Location)

(Detailed description of services to be performed)  
Presenting Partner Sponsorship of The Greenbrier Classic Golf Tournament.

Date(s) of Service: from June 1, 2015 to October 15, 2015

The rate of pay shall be \$500,000.00 per N/A not to exceed  
\$ N/A for the entire term of the contract.

**NOTE:** Any anticipated travel must be incorporated into the vendor's fee. No travel will be reimbursed by the State and is the sole responsibility of the vendor. The following certification must be completed and signed if the vendor is a full-time employee of the State of West Virginia.

Please check the appropriate box below:

- ☒ I am not currently a full-time employee of the State of West Virginia;  
☐ I am currently a full-time employee of the State of West Virginia (complete certification below).

It is hereby certified that the services to be performed under this agreement will not interfere with or detract from the full-time duties of the employee and the amount of annual compensation received by \_\_\_\_\_ (above named vendor) from the State of West Virginia for full-time employment during the current fiscal year will be \$ \_\_\_\_\_. The vendor serves as \_\_\_\_\_ with the title of \_\_\_\_\_, certified by \_\_\_\_\_  
(Position) (Supervisor's Signature)

**GENERAL TERMS AND CONDITIONS:** The General Terms and Conditions for Agency Delegated Master Terms and Conditions located on the Purchasing Division's website at <http://www.state.wv.us/admin/purchase/TCA.pdf>, ("Terms and Conditions") are hereby made a part of this agreement and are specifically incorporated herein by reference. By signing this agreement, Vendor certifies that it has reviewed the Terms and Conditions, fully understands them, and agrees to be bound by their provisions.

**APPROVED BY:**Agency West Virginia Division of Tourism

*Angela L. Hodges*  
(Authorized Signature of Agency)  
*Director*  
(Title)  
4/8/15  
(Date)

Vendor

*Old White Charities, Inc.*  
*by [Signature]*  
(Vendor's Signature)  
27-1561963  
(Social Security or EIN)  
4-9-2015  
(Date)

RFQ No. \_\_\_\_\_

STATE OF WEST VIRGINIA  
Purchasing Division

## PURCHASING AFFIDAVIT

**MANDATE:** Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

**DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Don White Charities, Inc.

Authorized Signature: [Signature] Date: 4-9-2015

State of West Virginia

County of Greenbrier, to-wit:

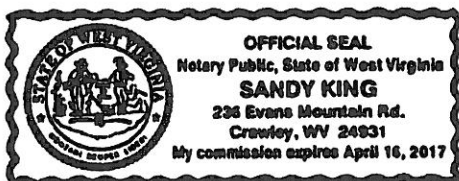
Taken, subscribed, and sworn to before me this 9 day of April, 2015.

My Commission expires April 16, 2017.

**AFFIX SEAL HERE**

**NOTARY PUBLIC**

[Signature]  
Purchasing Affidavit (Revised 07/01/2012)



**Davis, Georgina L**

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**From:** Butcher, Loarie H  
**Sent:** Wednesday, April 08, 2015 9:33 AM  
**To:** Davis, Georgina L  
**Subject:** FW: State of WV Invoice  
**Attachments:** State of WV Invoice 2015 \$500,000.pdf; ATT00001.htm

Attached is the Greenbrier invoice. Please put on your calendar to start the process to pay this invoice first of June, maybe even end of May since we had so many issues the last time. I think it looks ok. Let me know if you see any issues.

Thank You.

Loarie



# Invoice

Page: 1

OLD WHITE CHARITIES  
300 WEST MAIN STREET  
WHITE SULPHUR SPRINGS, WV 24986  
(304) 536-1110

Invoice Number: 0000035-IN

Invoice Date: 3/26/2015

Salesperson: 0001

Tax Schedule: DEFAULT

State of West Virginia

Customer Number: 00-0000076

Customer P.O.:

Ship VIA:

Terms: Due upon receipt

Contact:

Item Code	Description	UM	Quantity	Price	Amount
6	Presenting Partners The Greenbrier Classic/Presenting Partners				500,000.00

# RECEIVED

APR 01 2015

DIVISION OF TOURISM  
ADMINISTRATION

Net Invoice:	500,000.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	500,000.00